

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska)	Application No. PI-205
Public Service Commission, on)	
its own motion, seeking to)	
investigate transportation)	ORDER OPENING INVESTIGATION,
services which may be provided)	SEEKING COMMENT, AND
by open class carriers as)	SETTING HEARING
defined by Neb. Admin. Code,)	
Title 291, Ch. 3 § 010.01C.)	Entered: April 19, 2016

BY THE COMMISSION:

The Nebraska Public Service Commission (Commission), on its own motion, opens this docket seeking to investigate transportation services which may be provided by open class carriers as defined by Neb. Admin. Code, Title 291, Ch. 3 § 010.01C.

O P I N I O N A N D F I N D I N G S

On March 11, 2016, Golden Plains Services, Inc. (GPS) filed a Petition for Declaratory Ruling, docketed as Application No. B-1829/DR-0006, seeking clarification of the types of transportation services may be provided by GPS, an open class carrier, as defined by § 010.01C.

Pursuant to the Rules of Commission Procedure, "if a petition for declaratory ruling presents a question of statewide commercial importance or such is noted during or after hearing on the petition, the Commission shall not issue a declaratory ruling but will resolve such question in an investigative proceeding."¹ Upon review, the Commission found that the Petition presented a question of statewide commercial importance.

Therefore, pursuant to Neb. Admin. Code, Title 291, Ch. 1 § 19.05, the Commission opens this docket in order to investigate what types transportation services may be provided by an open class carrier as defined by Neb. Admin. Code, Title 291, Ch. 3 § 010.01C. Specifically, the Commission seeks to address the question as to whether an open class carrier may operate and provide services like a taxi in any capacity, including but not limited to picking up passengers which hail down open class drivers to pick up the passenger at a location which was not prearranged.

¹ Neb. Admin. Code, Title 291, Chap. 1 § 019.05 (1992).

Application No. PI-205

Page 2

The Commission seeks comment from certificated open class carriers and other interested parties on the issue presented in this investigation. Interested parties shall file written comments with the Commission no later than **3:00 p.m. on May 20, 2016**. Parties shall submit one (1) original paper copy and one (1) electronic copy to susan.lamborn@nebraska.gov and jamie.reyes@nebraska.gov.

Finally, the Commission finds that hearing on this matter should be set for **June 1, 2016**, at **1:30 p.m.** in the Commission Hearing Room, 1200 N Street, Suite 300, Lincoln, Nebraska.

If auxiliary aids or reasonable accommodations are needed for attendance at the meeting, please call the Commission at (402) 471-3101. For people with hearing/speech impairments, please call the Commission at (402) 471-0213 (TDD) or the Nebraska Relay System at (800) 833-7352 (TDD) or (800) 833-0920 (Voice). Advance notice of at least seven days is needed when requesting an interpreter.

O R D E R

IT IS THEREFORE ORDERED by the Commission that the above-captioned investigation is hereby opened.

IT IS FURTHER ORDERED that interest parties shall submit comments no later than **3:00 p.m. on May 20, 2016**, in the manner prescribed above.

IT IS FURTHER ORDERED that hearing on this matter will be held on **June 1, 2016**, at **1:30 p.m.** in the Commission Hearing Room, 1200 N Street, Suite 300, Lincoln, Nebraska.

Application No. PI-205

Page 3

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska this 19th
day of April, 2016.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:



//s//Frank E. Landis
//s//Crystal Rhoades
//s//Tim Schram



Chairman

ATTEST:



Deputy Director